# PART IV

## Section 2-C—(1)

## GENERAL STATUTORY RULES ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS AND RULES MADE BY THE GOVERNOR UNDER THE CONSTITUTION.

### General Administration Secretariat.

### NOTIFICATION.

Bangalore, dated 9th November 1965.

**G. S. R. 735.**—In exercise of the powers conferred by Sections 16 and 18 of the Mysore Public Service Commission (Conduct of Business and Additional Functions) Act, 1959 (Mysore Act 20 of 1959), the Government of Mysore hereby makes the following rules, namely :—

**1. Title.**—These rules shall be called the Mysore Public Service Commission (Conduct of Service Examination) Rules, 1965.

**2. Definitions.**—In these rules, unless the context otherwise requires,—

(*a*) "Act" means the Mysore Public Service Commission (Conduct of Business and Additional Functions) Act, 1959 (Mysore Act 20 of 1959).

(*b*) "Examination" or "Service Examination" means an examination which persons serving in connection with the affairs of the State are required to pass under the conditions of recruitment or service applicable to them notified by the Government under Section 16 of the Act.

**3. Syllabi for examinations.**—The Commission shall conduct the service examinations in accordance with such syllabi as may be specified in any general or special order.

**4. Holding of examinations.**—(1) Subject to the general or special orders of the Government, service examinations shall be conducted by the Commission twice every year in such months and on such dates as the Commission may determine.

(2) (*a*) Subject to such directions as may be given by the Commission, written examinations other than those held in the City of Bangalore shall be held in every headquarters of a district under the control of the Deputy Commissioner of the district concerned. In the City of Bangalore the examinations shall be conducted by the Commission.

(*b*) Notwithstanding anything contained in clause (a), the Commission may conduct such examinations as it deems fit only in the City of Bangalore.

**5. Applications.**—(1) The Commission shall, not less than two months prior to the date of holding any examination, publish a notification in the *Mysore Gazette* calling for applications and specifying the dates by which applications should reach the Commission. The notification shall also specify such other particulars relating to the examination as the Commission may deem fit. A period of not less than fifteen days shall elapse between the date of declaration of the result of an examination and the date of publication in the Gazette of the notification calling for applications for the next examination in the same subject.

(2) Every candidate appearing for any service examination shall send his application in the form prescribed by the Commission. The application shall be addressed to the Secretary and Controller of Departmental Examinations, Mysore Public Service Commission, so as to reach him on or

before such date as may be specified by the Commission while inviting the applications for the examination.

(3) Any application received after the date fixed for the receipt of applications, or which does not comply with the provisions of this rule, shall be rejected.

**6. Fees payable for the examinations.**—(1) The fees payable for admission of a candidate for any examination shall be such as the Commission may, with the approval of the Government, determine, subject to the condition that the fee for any examination shall not be more than fifteen rupees.

(2) Notwithstanding anything contained in sub-rule (1) where an examination is required to be passed during the period of probation or training of a Government servant, or for the purpose of being eligible to draw an increment, or for being confirmed in any post or for being eligible for promotion to higher post, no fee shall be payable for admission to the examination when the Government servant concerned applies for the first or second time for admission to such examination:

Provided that where a candidate who has been admitted to any examination under this sub-rule absents himself from the examination he shall not be entitled to the exemption under this sub-rule in respect of any later examination unless the absence was due to ill-health certified by the District Medical Officer or the authorised Medical Attendant or due to his inability to attend the examination on account of official work which he was required to attend to as certified by the Head of a Department in which he is serving:

Provided further that this sub-rule shall not be applicable to a Government servant in respect of whom the passing of the examination is not obligatory.

(3) Every candidate applying for admission to a service examination shall be required to make a declaration

specifying whether such examination is obligatory or not, and also specifying the number of times he appeared for the examination concerned. Such declaration shall be verified and attested by the Head of Office under whom the candidate is serving.

**7. Refund of fees.**—(1) The fee paid by any candidate shall be refunded in the following cases, namely :—

(i) when the examination is cancelled after applications are called for ;

(ii) when an application is rejected on the ground that it had been sent after the last date fixed for receipt of applications ;

(iii) when the candidate is not admitted to the examination ;

(iv) when the candidate is permitted to withdraw his candidature before the examination is held ;

(v) when the candidate is not liable to pay the fees ;

(vi) when the application is made and the fee is paid by mistake ;

(vii) when the candidate absents himself from any examination and satisfies the Commission that the absence was unavoidable and was due to causes beyond his control ;

(viii) when the candidate after paying the fees fails to send his application to the Commission ;

(ix) when the candidate dies prior to the examination.

(2) No fees shall be refunded under sub-rule (1) except on an application made within sixty days from the last date fixed for the examination concerned.

(3) Fees paid for any examination shall not be taken credit for any other examination except where a candidate makes an application in writing within sixty days from the

last date fixed for the examination in respect of which fees was paid requesting that the fees may be appropriated for the next ensuing examination.

**8. Referenee to books.**—Save as otherwise provided by any general or special order made by the Government, candidates to an examination may bring with them to the examination hall unabridged and unannotated editions of books prescribed for the examination. No candidate shall bring into the examination hall, or be in possession in the examination hall of any notes or guides or any other books.

**9. Marks for a pass.**—(1) Save as otherwise provided by any general or special order the minimum marks for a pass in any service examination shall be thirty-five per cent in each individual paper and forty per cent in the aggregate prescribed for that examination.

(2) A candidate who secures not less than sixty per cent of the maximum marks in any paper or papers comprising any examination shall be placed in the first class, and a candidate who secures less than sixty per cent of the maximum marks shall be placed in the pass class.

(3) Where an examination consists of more than one paper and a candidate secures in any paper not less than sixty per cent of the maximum marks prescribed for that paper he shall be deemed to have passed the examination in that paper, if he passes the examination by securing the required number of passing marks in the other papers of the examination concerned within two years from the date of declaration of the result of the examination in which he had secured not less than sixty per cent of the maximum marks in that paper.

**10. List of candidates successful in examinations.**—(1) The result of every examination specifying the register numbers of the candidates successful in the examination shall be published by the Commission in the *Mysore Gazette*.

(2) The Commission shall issue to each successful candidate in any examination a certificate under the signature of the Secretary and Controller of Departmental Examinations, Mysore Public Service Commission, stating the examination passed by him and the class in which he is placed.

(3) A candidate may obtain a duplicate copy of the certificate on furnishing proof to the satisfaction of the Commission that the original had been lost, on payment of a fee of one rupee for the grant of such certificate. An application for a duplicate copy of a certificate shall also contain particulars regarding the month and year of the examination passed and shall furnish such information as to establish that the applicant is the person to whom the original certificate was issued. Such application shall be accompanied by a treasury receipt evidencing payment of the fee for the grant of the duplicate certificate.

**11. Supply of Marks Cards.**—The Commission shall furnish a marks card on payment of a fee of two rupees in respect of any subject or subjects comprised in any examination, if the application for the marks card is made within one month after the publication of the result of the examination in the *Mysore Gazette*. The application shall be accompanied by a treasury receipt of evidencing the payment of the fee.

**12. Re-totalling of marks.**—(1) A candidate who is declared to have failed in any examination may within one month after the publication of the result in the *Mysore Gazette*, apply to the Commission for a re-totalling of his marks in all papers or in any paper comprised in the said examination. Every candidate making such application shall pay a sum of ten rupees as deposit and a treasury receipt evidencing the payment of such sum shall be furnished along with the application.

(2) On receipt of an application under sub-rule (1) the Commission shall cause the marks to be re-totalled, and

the decision of the Commission as regards the re-totalled marks secured by the candidate shall be final.

(3) Where a result is altered consequnt upon the re-totalling of marks, the deposit made by the candidate under sub-rule (1) shall be returned to him. In other cases the deposit shall not be returnable.

**13. Remuneration to examiners.**—(1) Fees at the rates specified in column (2) of the following table shall be payable to the examiners for performing the functions specified in the corresponding entry of column (1) of the said Table, namely :—

## TABLE

(*a*) For the setting of a question paper in respect of which the duration of time allowed for answers.—

| | | |
|---|---|---|
| (i) not less than three hours | ... | Fifty Rupees. |
| (ii) less than three hours but not less than two hours | ... | Forty Rupees. |
| (iii) less than two hours but more than one hour | ... | Twenty-five Rupees. |
| (iv) one hour and less | ... | Twenty Rupees. |

(*b*) For valuing an answer book of a question paper in respect of which the duration of time allowed for answers is,—

| | | |
|---|---|---|
| (i) not less than three hours | ... | Two Rupees. |
| (ii) less than three hours but not less than two hours | ... | One and a half Rupees. |
| (iii) less than two hours | ... | One Rupee. |

(2) The Supervisors and Invigilators shall be paid remuneration at the following rates, namely :—

(i) In the case of Supervisors, at five rupees per day or part of a day ;

(ii) In the case of Invigilators, at two and a half rupees per day or part of a day.

**14. Misconduct.**—A candidate who is found guilty by the Commission of impersonation or of submitting fabricated document or documents which have been tampered with or of making statements which are incorrect or false, or of suppressing any material information or of using or attempting to use unfair means in the examination hall or otherwise resorting to any other irregular and improper means in connection with any service examination, such candidate may, in addition to rendering himself liable to a criminal prosecution.—

(*a*) be debarred either permanently or for a specified period by the Commission from admission to any examination or appearance at any interview held by the Commission for selection of candidates and

(*b*) be subjected to disciplinary proceedings.

[No. GAD 61 SSR 64.]

By Order and in the name of the Governor of Mysore,

261 K. S. N. MURTHY, *Deputy Secy.*